

ANTHONY J. PIRROTTI, JR., ESQ. (AJPJR0905)
PIRROTTI LAW FIRM LLC
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Attorney for Defendants
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TRUSTEES OF THE BRICKLAYERS AND ALLIED
CRAFTWORKERS, LOCAL 5 NEW YORK
RETIREMENT, WELFARE, LABOR MANAGEMENT
COALITION and APPRENTICE TRAINING AND
JOURNEYMEN UPGRADING FUNDS, and
BRICKLAYERS AND ALLIED CRAFTWORKERS
LOCAL 5 NEW YORK,

**RULE 7.1
STATEMENT**

Case Number:
07 CV 7529
ECF CASE

Plaintiffs

- against -

CARMODY, INC., CARMODY BUILDING CORP.,
CARMODY CONCRETE CORP., CARMODY
CONTRACTING, INC., CARMODY ENTERPRISES,
LTD., CARMODY MASONRY CORP., and BIAGIO
CANTISANI, Individually and d/b/a CARMODY,

Defendants.

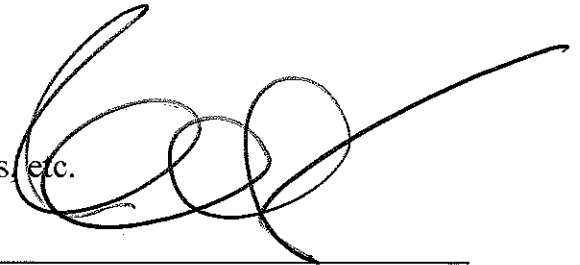
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MADAMES/ S I R S :

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for CARMODY, INC., CARMODY BUILDING CORP., CARMODY CONCRETE CORP., CARMODY CONTRACTING, INC., and CARMODY ENTERPRISES, LTD., CARMODY MASONRY CORP., (private non-governmental parties) and BIAGIO CANTISANI, Individually and d/b/a CARMODY, certifies that these entities are private non-governmental parties, which are not publicly held.

WHEREFORE, the answering defendants demand judgment: (1) dismissing the Complaint of the Plaintiffs herein in its entirety, together with attorney's fees, costs, interest, and disbursements of this action; and (2) awarding the answering defendants such other and further relief as this Court deems just, suitable and proper.

Dated: Scarsdale, New York
 October 15, 2007

Yours, etc.

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a series of loops and a long horizontal stroke extending to the right.

ANTHONY J. PIRROTTI, JR.
(AJPJR0905)
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Attorneys for Answering Defendants
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TO: GELLERT & KLEIN, P.C.
 Attorneys for Plaintiffs
 75 Washington Street
 Poughkeepsie, New York 12601
 Attn: Stephen E. Ehlers, Esq. (SE 3094)
 (845) 454-3250


STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

ADAM J. GLATT, being duly sworn, deposes and says:

I am not a party to the action, am over the age of eighteen (18), and reside in East Fishkill, New York.

On October 15, 2007, I served the within **Rule 7.1 Statement** by depositing a true copy thereof, enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:

GELLERT & KLEIN, P.C.
75 Washington Street
Poughkeepsie, New York 12601
Attn: Stephen E. Ehlers, Esq.


Adam J. Glatt

Sworn to before me this
15th day of October, 2007

NOTARY PUBLIC

JOSEPH A. ROSSI JR.
Notary Public, State of New York
No. 02RO6165002
Qualified in Westchester County
Commission Expires May 7, 2011